



03 OCT 2008

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ROBERTS, MLOTKOWSKI SAFRAN & COLE, P.C.  
Intellectual Property Dept.  
P. O. Box 10064  
McLean VA 22102-8064

In re Application of  
PAPAIOANNOU *et al*  
U.S. Application No.: 10/549,905  
PCT No.: PCT/GR2002/000045  
Int. Filing Date: 22 August 2002  
Priority Date: 22 August 2002  
Attorney Docket No.: 13907.02  
For: POLYAMINE CONJUGATES WITH  
ACIDIC RETINOID AND  
PREPARATION THEREOF

**DECISION**

This decision is in response to applicants' renewed petition under 37 CFR 1.47(a) filed 04 August 2008.

**BACKGROUND**

On 04 February 2008, a decision<sup>1</sup> dismissing applicants' 37 CFR 1.47(a) petition was mailed. Applicants were given two months to respond.

On 04 August 2008, applicants filed a renewed petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a four-month extension and fee and other documentary evidence in support of the renewed petition.

**DISCUSSION**

Applicants' petition under 37 CFR 1.47(a) was dismissed for failing to show that a complete copy of the above-captioned application including specification, claims and drawings were presented to the nonsigning inventor. As such, no refusal could be shown. All other requirements of 37 CFR 1.47(a) were satisfied in the initial petition.

In the renewed petition, the 37 CFR 1.47(a) applicants provided evidence that a complete copy of the subject application was sent to the nonsigning inventor on 18 July 2008 by mail and also via email. The documents provided to Dr. Dionysios Tsambaos included instructions that a response was due by 01 August 2008. Failure to respond would be considered a refusal to cooperate.

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<sup>1</sup> The decision mailed 04 February 2008 erroneously identified the title and docket number.

10/549,905

Petitioners state in the petition that no reply was received from Dr. Tsambaos.

The conduct of Dr. Tsambaos constitutes a refusal to cooperate as contemplated by section 409.03(d) of the MPEP. Applicants have now provided sufficient evidence to meet the requirements of item (2) of 37 CFR 1.47(a).

Accordingly, all the requirements of 37 CFR 1.47(a) are now complete.

### **CONCLUSION**

Applicants' renewed petition under 37 CFR 1.47(a) is **GRANTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 22 August 2002 under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 20 September 2005.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record and will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



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Dear Mr. Santini:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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